



United States Department of the Interior

BUREAU OF LAND MANAGEMENT HOUSE RANGE RESOURCE AREA

15 East 500 North
P.O. Box 778
Fillmore, Utah 84631



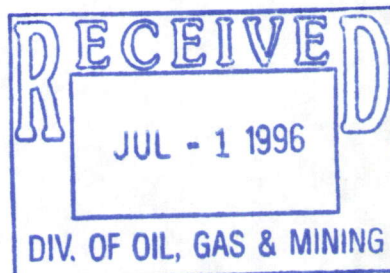
IN REPLY REFER TO:

3800
(U-054)
UTU-070643
UTU-070644

June 24, 1996



EDWIN LISTER
PO BOX 651
DELTA UT 84624



Dear Mr. Lister:

The amendment to your notice to conduct mining related operations on unpatented mining claims, UMC serial numbers 102509-10, 283479, and 326748-9, located in the N/2, Sec. 33, T. 14 S., R. 11 W., SLBM, was received on May 30, 1996, and has been accepted by this office. Your case file number is still UTU-070643. Please use this number in any future correspondence concerning this notice.

Also, the amendment to your notice to conduct mining related operations on unpatented mining claims, UMC serial numbers 277492-3, and 284143-4, located in NW/4, Sec. 34, T. 14 S., R. 11 W., SLBM, was received on May 30, 1996, and has been accepted by this office. This case file number is still UTU-070644. Please use this number in any future correspondence concerning this notice.

If you change your operation from what is described in your notice, you are required to contact this office prior to the change. If your operation extends for more than one year, please advise this office on the status of your mining related activity on the anniversary date of your notice.

Enclosed is a copy of the Conditions of Acceptance for BLM Mining Notices, stipulated by the Richfield District, House Range Resource Area. Please follow these guidelines as they pertain to your operation.

We are of the preliminary opinion that the "picture rock" deposit you have claimed is "common variety" and, as such, is not open to location. The proper procedure for mining and disposal of this material is through 43 CFR 3610, mineral material sales, wherein you would relinquish your claims and sign a contract with the Bureau of Land Management to purchase the material at a specified price. We will gladly provide you with information regarding mineral material sales.

If you are convinced that your deposit is locatable, please be aware the Court has set standards to distinguish between common varieties and uncommon varieties of mineral deposits or stone. The standards are:

1. There must be a comparison of the mineral deposit in question with other deposits of such minerals generally;
2. The mineral deposit in question must have a unique property;
3. The unique property must give the deposit a distinct and special value;
4. If the special value is for uses to which ordinary varieties of the mineral are put, the deposit must have some distinct and special value for such use; and
5. The distinct and special value must be reflected in the market place (or in reduced cost or overhead so that the profit to the claimant would be substantially more).

Should a final determination by the Department of Interior be made that this material is, in fact, "common variety", you could be responsible to the United States for the value of this material, damage to the land, and the administrative costs of recovering such compensation.

Copies of your amendments have been sent to the Utah Division of Oil, Gas and Mining (UDOGM); therefore, you will not have to file this notice with them.

Also, all mining claimants and operators intending to use, store, or divert water are required by Utah and Federal statute to notify the following agencies:

Utah Department of Water Resources
1636 West North Temple
Salt Lake City, Utah 84180-1203

and

U. S. Army Corps of Engineers
Utah Regulatory Office
1403 South 600 West, Suite A
Bountiful, Utah 84010

A permit for explosives may be required from the Bureau of Alcohol, Tobacco, and Firearms (ATF). The address for ATF is

125 South State Street
Salt Lake City, Utah 84145

If ATF requires a permit, a copy of the permit should be submitted to this office.

If you are selling any minerals extracted during your mining activities, the U. S. Department of Labor, Mine Safety and Health Administration (MSHA) may consider your operation to be under its jurisdiction. We recommend you contact them at:


USDOL Mine Safety and Health Administration
1745 West 1700 South Room 2040
Salt Lake City, UT 84104

As required by 43 CFR 3809, Surface Management Regulations, reasonable measures must be taken to prevent unnecessary or undue degradation of public lands and reclamation is required at the earliest feasible time. Please notify this office upon completion of operations and reclamation so an inspection may be conducted on the site. Reclamation under this notice is required to conform to the standards of the Utah Mined Land Reclamation Act.

Acceptance of your notice will not now, nor in the future, serve as a determination of the validity nor ownership of any mining claim included under your notice.

Thank you for submitting your amendment.

Sincerely,


Rex Rowley
Area Manager

Enclosure

Conditions of Acceptance for BLM Mining Notices (p. 3)

cc: D. Wayne Hedberg, UDOGM (S/023/031, E/023/056),
Bill Tanner, USDOL Mine Safety and Health Administration
Roger Lister, 392 E Main St., Delta, UT 84624